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~~7/10/21~~ JE

## Motion to Amend and Correct

C/A No. D:21-1647-RMG-PJG

- ① On August 27<sup>th</sup>, 20 and 9-4-20, I was charged with throwing water on both Dep. Hill and Dep. Boule. Making both deputies victims in my case.
- ② Since July of 2020, I've been requesting in writing to Captain Weeks to be transferred to another facility for my safety. I'd learned that my outside victims had family and friends in the jail. I didn't know who they were because I'm from Louisiana. The letters were sent by Deputy Braswell, Johnson, Payton, and Chamberlain. I was told he got them all.
- ③ After being charged on 8-27-20 and 9-4-20, I requested transfer for my safety due to victims being employed at the detention center. All request to Captain Weeks for transfer have been denied and flat out ignored.
- ④ During my time in segregation (starting July 8<sup>th</sup>, 2020) I went five and six days without a shower more than twice. I wasn't allowed to write or call my family, (August 3<sup>rd</sup>, 2020 grievance), or clean my cell. My cell was cleaned once in four months by, M.D Price, M.D Tapio, M.D. Boyd, and Lt. Lawson. This was around Sept 15<sup>th</sup>, 2020. I was on suicide.
- ⑤ On July 8<sup>th</sup>, 2020 at dinner time (5:00 pm - 5:30 pm) Deputy Wix did slide my food tray to me on the floor under the door. (This incident was captured on Deputies' body camera.) I was in cell C9, on disciplinary.
- ⑥ I kept finding hair in my food. I complained to Dep. Hill and Boule (both victims) who were serving my trays. I began to feel my food was being tampered with. I refused to eat. The hunger strikes lasted once for four days, and once for eight.
- ⑦ On 9-4-2020, dinner time at 5:00 pm - 5:30 pm, Master Deputy Board did slide my food on the floor under the door of C9. This was captured on M.D Board's body camera, also the Cpod security camera. This occurred at both lunch and dinner times (11:00 - 12:30 pm and 5:00 pm to 5:30 pm) on September 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup>, 2020. (All recorded on body & security cam)
- ⑧ I asked why was my food being slid under the door? M.D Price said, "Captain Weeks didn't want my food slot open"
- ⑨ I was on fast last at the time and my food was wrapped in waxed paper, and unprotected from fifth. I complained and nothing was done. I didn't eat anything at all during this time.
- ⑩ On 9-7-20 at lunch and dinner time (12:00 - 12:30 pm and 5:00 - 5:30 pm) Deputy Braswell did slide my food under the door in front of supervisor, M.D. Board. (This incident was captured on both officer's body camera.)
- ⑪ On 9-8-20, I requested transfer. No reply. Mental Health placed me back on suicide for not eating off the floor.
- ⑫ In April of 2021, I wrote again requesting transfer and had Crystal Price calling about it. I received no answer.
- ⑬ On May 4<sup>th</sup>, 21, after an argument during a chess game, I was attacked by a friend of my victim in my initial case. I was sitting down talking on the phone when inmate Travis Miller attacked me. I was written up in self defense. (The incident was on camera in A pod cell A-14). The attack caused me to be sent to the hospital with ~~broken~~ fingers, ~~1~~, ~~1~~, ~~1~~, and a busted head, which required two stitches.

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- (13) The attack could've been avoided had my request for transfer been acknowledged in July of 2020.
- (14) On 5-27-21 dinner time at 5:00 pm - 5:30, Deputy Brazeau did stick my food under the door. I refused to eat. I began to my logs for civil actions. (Logs are consistent for everyday) I was unjustly put on food loaf with no report.
- (15) On May 28<sup>th</sup>, 21, I wrote a grievance to classification about being housed around my victims. Twenty-three days with no response, and still no remedy (Reply came on 6/13/21 from Sgt. Bayborn)
- (16) From May 25<sup>th</sup>, 21 to May 30, 21 I didn't shower or brush my teeth. I was taken off food loaf and given styrofoam trays.
- (17) Since May 27, 21 I've only been allowed to shower, brush my teeth, wash my hands, and use deodorant on Monday, Wednesday and Friday. (This is logged and on all floor officers body camera) I am denied proper hygiene on Tues, Thur, Sat, and Sunday. (Grievances written by hand and on kiosk.) No Remedy. No answer to why.
- (18) My cell has only been swept and mopped since May 27<sup>th</sup>, 21. No toilet brush, bleach, or other chemicals (Grievance)
- (19) Since July 8<sup>th</sup>, 2020, C-pod's shower has been covered in mold and mildew. (Grievances written by hand and kiosk.) No remedy. I endured this constantly. I showered while being exposed to a dirty shower, mold and mildew.
- (20) Stamped envelopes and legal work denied on 6/16/21, Deputy Reed. 6/13/21, M.D. Gammons (On body camera) 6/20/21 M.D. Reed. (Bald cake and cookies to inmate Praylow Porfolio for stamps, paper, and pens)
- (21) On 6/22/21 at 11:00 am - 11:40 am (Body camera will prove) I gave Deputy Peyton a handwritten grievance about being unjustly punished with food loaf and styrofoam trays since 5/27/21 (Grievance also written on kiosk.) I asked that copies be made for me so I could notify everyone who could change these things. Deputy Peyton took my document and gave it to Captain Weeks. I never saw it again. I never received the copies. Deputy told me, "I did the best I could do." Deputy did violate my legal privacy, and obstruct my legal process. Deputy did tamper with evidence in case D:21-1647-RMG-PJG.
- (22) I wrote Judge Gossett about it and re-wrote the grievance on 6/23/21. (Copy of letter and grievance sent to courts)
- (23) On 6/28/21 between 11:00 pm and 11:30 pm (Body camera and security camera in C-pod will prove), I gave Deputy Franklin, a handwritten grievance concerning the sanitation of the jail, and a letter to judge Paige J. Gossett for an order to compel body camera footage from Sheriff Don Reynolds to prove allegations made in C/A No. 0:21-1647-RMG-PJG. Deputy did take documents, read them, then turned the over to Sgt. Smith. Deputy never came back on C-pod on 6/28/21.
- (24) Deputy Franklin gave my documents to Sgt. Smith, who put them in the mailbox belonging to defendant Captain Scott Weeks. Both officers did intentionally tamper with legal documents, violate my legal property, and obstruct my civil process of the courts. Both officers did plan to deprive me of documents in order to protect Captain Scott Weeks and Don Reynolds, by illegally altering them of my writing to the courts. Therefore aiding them in this mistreatment.

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~~notarized~~ (JE)

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- (26) On 10/29/21, at 1:00-1:16 am (Body camera will prove), Deputy Brown did come to my cell door C-8 and tell me exactly what happened to my documents. I told him I wanted my things back. He told me, "But that's my Sgt." Deputy Brown repeated this several times. I pointed out that they have violated my legal rights and threatened them with owing them. His reply was, "I have nothing to do with it." I covered my window with toilet paper.
- (27) I stayed up all night rewriting documents and threatening to sue the officers involved. At 4:33 am, my documents were returned by Deputy O'Daniel. After I received no copies, or reason my things were taken.
- (28) I rewrote the papers and mailed them to the courts in the name of Jacob Farrow. Six inmates signed and witnessed documents. I have logged everything that is consistent with body camera and security camera footage.
- (29) Plaintiff alleges that M.D. Reed, Deputy Basswell, and Deputy H. Wix, did violate his rights, dignity, and mental and emotional stability by forcing him to sit off the floor. They did mistreat me while under care of mental health. M.D. Reed, did allow this mistreatment to happen in front of him without attempting to stop it, while carrying out the orders of Captain Scott Weeks. M.D. Reed did refuse me stamps, pens and paper, and cleaning supplies.
- (30) Plaintiff alleges that Deputy Payton, Deputy Franklin, and Sgt. Smith, did violate his rights to courts, and access to legal avenues. Plaintiff alleges that the officers did mishandle legal documents to deprive and hinder him in his quest for civil remedy. Plaintiff alleges that the officers illegally informed and aided, Captain Scott Weeks, in attempt to cover up the mistreatment he is suffering. Plaintiff alleges that all, Smith, Payton and Franklin abused their authority.
- (31) Plaintiff alleges that Captain Scott Weeks ignored his request for safety and to be removed from around his victims. Plaintiff believes that had his request been acknowledged, his injuries sustained in the May 4<sup>th</sup>, 2021 attack would've been avoided. In mentioned attack, Plaintiff was sent to the hospital with broken bones and needing stitches. Plaintiff alleges that Captain Scott Weeks ignored the incidents regarding his food being slid under the door on Sept 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and July 8<sup>th</sup> of 2020. Also on May 21<sup>st</sup>, 2021. Plaintiff alleges that Captain Scott Weeks did intentionally ignore his officers not cleaning or allowing me access to proper legal material. Captain Weeks did not give remedy. Plaintiff alleges that Captain Weeks allowed him to be treated inhumanely, and cruel and unusual, by allowing him to only be able to brush his teeth, wash his hands, use deodorant, or shower on Monday, Wednesday, and Friday. Plaintiff alleges that all his grievances were never taken seriously, and that he is forced to live in squalor. Showers full of mold and mildew, and toilets coated with brown rings and covered in urine splatter.
- (32) Plaintiff alleges that Sheriff Don Reynolds, and Director Don Evans (now retired) allowed Captain Weeks to get away with these things by turning a blind eye. Both Sheriff and Directors, are in place to make sure the

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jail is ran properly. They are the administrative authority. Plaintiff believes that their neglect in doing their jobs has contributed to his mental, physical, and emotional ~~suffering~~ suffering, he's endured at the Johnson Det. Center. Plaintiff alleges that Sheriff Don Reynolds, and Director Don Evans, (now retired), did allow Captain Scott Works, to use disciplinary sanctions to violate the rights of the individual being punished. Which has lead to this civil process. Plaintiff is seeking remedy.

- (33) Based on those ~~facts~~ statements, Plaintiff wishes to amend and correct his complaint and list the following names as defendants. 1) Sheriff Don Reynolds, 2) Director Don Evans (retired) 3) Captain Scott Works, 4) Deputy Wix, 5) Deputy Branswell, 6) Deputy Peyton, 7) Deputy Franklin, 8) Master Deputy Reed, 9) Sgt. Smith.

A Plaintiff wishes to sue ALL defendants in both OFFICIAL and INDIVIDUAL capacities.

#### Defendants Information

- |                                                            |                                                       |
|------------------------------------------------------------|-------------------------------------------------------|
| ① Deputy Wix (Deputy at Johnson Det Center)                | ② Deputy Branswell (Deputy at Johnson Det Center)     |
| 154 Tompleton Rd. Laurens, SC 29360                        | 154 Tompleton Rd. Laurens, SC 29360                   |
| ③ Sergeant Smith (Sergeant at Johnson Det Center)          | ④ Deputy Franklin (Deputy at Johnson Det Center)      |
| 154 Tompleton Rd. Laurens SC 29360                         | 154 Tompleton Rd. Laurens, SC. 29360                  |
| ⑤ Deputy Peyton, L. (Deputy at Johnson Det Center)         | ⑥ Director Don Evans (Director at Johnson Det Center) |
| 154 Tompleton Rd. Laurens, SC 29360                        | 154 Tompleton Rd. Laurens, SC 29360                   |
| ⑦ Master Deputy Reed (Master Deputy at Johnson Det Center) | ⑧ Don Reynolds (Sheriff of Laurens County)            |
| 154 Tompleton Rd. Laurens, SC 29360                        | 2116 W. Main St. Laurens, SC 29360                    |
| ⑨ Captain Scott Works. (Captain at Johnson Det Center)     |                                                       |
| 154 Tompleton Rd. Laurens, SC 29360.                       |                                                       |

\*All defendants have been identified to the best of my knowledge. Request jury trial\*

#### Belief Sought

Plaintiff requests the sum of \$150,000 for physical pain, emotional, and mental suffering from defendants as a whole (punitive). \$50,000 (compensatory) for any future medical expenses from Captain Scott Works. \$25,000 (compensatory) from each defendant jointly and severally, for each and any violation of my rights, Constitutional or other.

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10:02 AM (SE)  
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Further.

Plaintiff believes he has filed the motion pursuant to Federal Rule of Civil Procedure 15, and that it is complete in itself and lists all claims, parties, and allegations. Plaintiff request that the courts honor this motion to Amend and Correct, and mail him nine (9) UBM-285 forms to begin the service process to the named defendants.

Plaintiff request the courts to alert him if anything else is required beyond this motion.  
Plaintiff thanks the court for its time, fairness and patience.

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Johnathan Emilien  
J. Emilien  
C/A No.: D:21-1647-RMG-PJG